

Serial No. 54343

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office JAN 17 1990

Returned to applicant for correction MAR 2 1990

Corrected application filed Map filed JUL 6 1988 under 52014

The applicant Esther Bennett

1146 Fordham Drive of Davis
Street and No. or P.O. Box No. City or Town

California 95616 hereby make application for permission to change the
State and Zip Code No.

place of use and manner of use
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit No. 28126
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and
identify right in Decree.)

1. The source of water is Underground Source
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 0.13 C.F.S. or 10.98 million gallons annually
Second feet, acre feet. One second foot equals 448.3 gallons per minute.
3. The water to be used for Mining
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for Mining, milling and domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 35., T29N., R.34E., or at point
Describe as being within a 40-acre subdivision of public survey and by course and
from which the SW corner of said Section 35 bears S.30°47' W., a distance of
distance to a section corner. If on unsurveyed land, it should be stated.
1,980 feet.
6. The existing permitted point of diversion is located within
If point of diversion is not changed, do not answer
7. Proposed place of use NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 31., T29N., R35E., M.D.B.&M.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
8. Existing place of use Lots 7, 8, 11 and 12 of Section 1, T28N., R34E., M.D.B.&M.
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from January 1st to December 31st of each year.
Month and Day Month and Day
10. Use was permitted from January 1st to December 31st of each year.
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) Well, pump and distribution system
State manner in which water is to be diverted, i.e., diversion structure, ditches,
pipes and flumes, or drilled well, etc.
12. Estimated cost of works \$2,000.00
13. Estimated time required to construct works The well is 341 feet deep, with 12 inch casing.

14. Estimated time required to complete the application of water to beneficial use.....5 years.....

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Please use the assigned map to support this application.

Compared.....bc/ se.....am/se.....

By s/Esther Bennett
ESTHER BENNETT
1146 FORDHAM DRIVE
DAVIS, CALIFORNIA 95616

Protested 5/31/90 by I.R.D. Inc.

Pro. overruled 12-11-91,
Ruling No. 3855

APPROVAL OF STATE ENGINEER

This is to certify I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use and manner of use of the waters of an underground source as heretofore granted under Permit 28126, Certificate 11591 is issued subject to the terms and conditions imposed in said Permit 28126, Certificate 11591 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 54342, 54343, 54344 and 54345 shall not exceed 60 million gallons annually.

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed.....0.13.....cubic feet per second.....but not to exceed 10.98
.....million gallons annually.....

Work must be prosecuted with reasonable diligence and be completed on or before.....February 11, 1993

Proof of completion of work shall be filed before.....March 11, 1993

Application of water to beneficial use shall be made on or before.....February 11, 1995

Proof of the application of water to beneficial use shall be filed on or before.....March 11, 1995

Map in support of proof of beneficial use shall be filed on or before.....N/A

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No.....Issued.....

IN TESTIMONY WHEREOF, I R. MICHAEL TURNIPSEED, P.E.,
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 11th day of February

A.D. 1992

[Signature]
State Engineer

CANCELLED AUG 20 2000 BECAUSE OF FAILURE
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT
[Signature], P.E.
STATE ENGINEER

(CONTINUED ON PAGE 2)

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued subject to the State Engineer's Ruling No. 3855, dated December 11, 1991.

A monthly report shall be submitted to the State Engineer within 10 days from the end of each month which shall include the amount of water pumped from each well and the amount of water used.

Any well used under this permit must conform with all applicable regulations in the Nevada Administrative Code - "Regulations for Water Well and Related Drilling".